

PENNIE & EDMONDS DOCKET NO. 6923-062-999

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

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My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject manter which is claimed and for which a patent is sought on the invention entitled

METHODS AND COMPOSITIONS FOR THE MODULATION OF ACID-SPHINGOMYELINASE-RELATED APOPTOSIS

rith amendment(s) filed on was filed as PCT international application was filed as PCT international application						
hersby state that I have reviewed and under mendment referred to above.	ratand the contents of t	c above securing	a appareation, mercon	IR tito esesting an		~ Uy w
acknowledge the duty to disclose information 1.56.	known to me to be ma	terial to patentabi	lity as defined in Title	37, Code of Fed	leral Rep	gulation
hereby claim foreign priority benefits under entificate listed below and have also identifie f the application on which priority is claime	d below any toreign app	Code, §119(a)-(lication for paten	d) of any foreign app t or inventor's certific	lication(s) for pa atc having a filin	tent or i	nventai efore ti
EARLIEST FOREIGN APPLICAT	ION(S), IF ANY, FILI	D PRIOR TO T	HE FILING DATE C	F THE APPLIC	MOTTA	
APPLICATION NUMBER	COUNTRY	D.	ATE OF FILING ay, month, year)	PRIO CLAI	RITY	
				YES []	NO	
				YES □	NO	
hereby claim the benefit under Title 35, Ur	ited States Code, §119	c) of any United	States provisional ap	plication(s) lister	below.	
APPLICATION NUM	BER		FILING	DATE		
		<u> </u>			-	

		STATUS	
FILING DATE	PATENTED	PENDING	ABANDONED
	9		
	FILING DATE	FILING DATE PATENTED	EILING DATE

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Lestie Misrock (Reg. No. 1817), Harry C. Iones, III (Reg. No. 20280), Berj A. Terrian (Reg. No. 20060), Gernld J. Ffintoft (Reg. No. 20323), David Walld, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Israe Jarkovsky (Reg. No. 22713), Joseph V. Colrianai (Reg. No. 20019), Charles E. Mollier (Reg. No. 20019), Charles E. Mollier (Reg. No. 24276), Francis E. Monris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), No. 22795), Philip T. Shamson (Reg. No. 27478), Francis E. Monris (Reg. No. 274618), Edian D. Coggio (Reg. No. 27624), Roy J. Radding (Reg. No. 28747), Stophen John J. Lawrer, Jr. (Reg. No. 27146), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Roy J. Radding (Reg. No. 28747), Stophen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi J. Harbulak (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jom R. Stark (Reg. No. 30111), Allan A. Farmeci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halkin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30605), Savan L. Wallach (Reg. No. 33821), Addrans (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond E. Banton (Reg. No. 32110), Bruce I. Barter (Reg. No. 33291), Addrans (Reg. No. 31636), Arm L. Giselif (Reg. No. 31956), Saral-ynn Mandel (Reg. No. 31833), Mark A. Farley (Reg. No. 33170), James G. Markey (Reg. No. 31636), and Charles F. Hoyag (Reg. No. 35548), all of Pennic & Edmonds Ll.P, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my stormsys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.



PENNIE & EDMONDS DOCKET NO. 6923-062-999

SEN	ID CORRESPONDE	NCE TO: PENNIE & RDMONDS 1155 AVENUE OF THE NEW YORK, N.Y. 100	e americas i	 TELEPHONE CAL EDMONDS DOG 2803	
	FULL NAME OF INVENTOR	LAST NAME KOLESNICK	RICHARD	MIDDLE NAME	
2 0 1	RESIDENCE & CITIZENSHIP	STY New York	STATE OR FOREIGN COUNTRY Now York	COUNTRY OF CONCERNS U.S.A.	
	POST OFFICE ADDRESS	STREET 343 East 74th Street	New York	STATE OR COUNTRY New York	217 C00H 10021
	FULL NAME OF INVENTOR	LAST KAME SCHUCHMAN	FERST MAME EDWARD	неросе кале Н.	
2 0 2	RESIDENCE & CITIZENSHIP	env New York	STATE OF POREION COUNTRY New York	U.S.A.	IP ·
_	POST OFFICE ADDRESS	New York	City New York	STATE OR COUNTRY New York	žir coos
•	FULL NAME OF INVENTOR	LAST NAME	HINT HAVE	MIDDLE NAME	
2 0 3	RESIDENCE & CITIZENSHIP	CHY	STATE OR FOSEJON COUNTRY	COUNTRY OF CITERSYSH	SP
	POST OFFICE ADDRESS	डा <u>म्प्</u> रक्तर	CITY	STATE OR COUNTRY	71P C006
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MUDDLE MAME	
2 0 4	RESIDENCE & CITIZENSHIP	CTTY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENER	r ·
	POST OFFICE ADDRESS	STREET	cm	STATE OR COUNTRY	2ir cons
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIIIOLE NAME	
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	POST OFFICE ADDRESS	ECHERT	CITY	STATE OR COUNTRY	23º C003
	FULL NAME OF INVENTOR	LAST NAME	FIEST NAME	MIDDLE NAME	
2 0 6	RESIDENCE & CITIZENSHIP	CITY	STATE OR PORCEON COUNTRY	COUNTRY OF CITZENSK	TP
_	POST OFFICE ADDRESS	FTKSST	arr	STATE OR COUNTRY	ZIP COOS

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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SIGNATURE OF DIVENTOR 20	ECONATURE OF INVENTORIOS	BONATURE OF INVENTOR 25
RICHARD KOLESNICK	EDWARD IL SCHUCHMAN	
DATE	2/11/97	DATE
RONATURE OF INVENTOR 204	ECHATURE OF DIVENTOR AS	SCHATURE OF INVENTOR 208
DATE	DATE	DATE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND COMPOSITIONS FOR THE MODULATION OF ACID-SPHINGOMYELINASE-RELATED APOPTOSIS

and for which a patent application: I is attached hereto and includes	amendment(s) filed on	(if applicable)					
was filed in the United States of	n July 26, 1996 as App		l No. <u>08/6</u>	87,707 (for declar	ration not accomp	carying application)	
with amendment(s) filed on	(fapticable)	on		and v	vas amend	ed under PCT	C Article 19
on (d'applicable)	ppincation octian ivo.			and •	vas ailielie	ed dilder FC	Audicio 17
I hereby state that I have reviewed amendment referred to above.	and understand the contents of	the above ide	entified app	lication, includ	ing the cla	ims, as amer	nded by any
I acknowledge the duty to disclose i §1.56.	nformation known to me to be n	naterial to pat	entability as	s defined in Tit	le 37, Cod	e of Federal I	Regulations,
I hereby claim foreign priority ben certificate listed below and have als of the application on which priority	o identified below any foreign ap v is claimed:	pplication for	patent or in	ventor's certifi	icate havin	g a filing date	e before that
(i) EARLIEST FOREIGN A	PPLICATION(S), IF ANY, FIL	ED PRIOR	TO THE FI	ILING DATE	OF THE A	APPLICATIO	N
APPLICATION NUMBER	COUNTRY	Υ		OF FILING onth, year)		PRIORITY CLAIMED	
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					YES	□ 3 N	0 🗆
I hereby claim the benefit under Ti	tle 35, United States Code, §11	9(e) of any U	Inited States	s provisional a	pplication(s) listed below	w.
APPLICATIO	ON NUMBER			FILING	DATE		
uda h							
I hereby claim the benefit under Tit matter of each of the claims of thi paragraph of Title 35, United State in Title 37, Code of Federal Regula international filing date of this appl	is application is not disclosed in s Code §112, I acknowledge the tions, §1.56 which became avails	n the prior Use duty to disc	Inited States lose inform	s application in ation which is	n the mann material to	ner provided patentability	by the first as defined
				STAT	US		
APPLICATION SERIAL NO.	FILING DATE	PATE	NTED	PENDI	NG	ABAND	ONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), SaraLynn Mandel (Reg. No. 31853), Mark A. Farley (Reg. No. 33170), James G. Markey (Reg. No. 31636), and Charles F. Hoyng (Reg. No. 3548), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

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PENY3-561431.1

SEN	D CORRESPONDEN	NCE TO: PENNIE & EDMONDS 1155 AVENUE OF THE NEW YORK, N.Y. 1003	E AMERICAS	DIRECT TELEPHONE CAL PENNIE & EDMONDS DOC (212) 790-2803	
	FULL NAME OF INVENTOR	LAST NAME KOLESNICK	FIRST NAME RICHARD	MIDDLE NAME	
2 0 1	RESIDENCE & CITIZENSHIP	New York	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSH U.S.A.	IP
	POST OFFICE ADDRESS	street 343 East 74th Street	стту New York	STATE OR COUNTRY New York	2IP CODE 10021
	FULL NAME OF INVENTOR	LAST NAME SCHUCHMAN	FIRST NAME EDWARD	MIDDLE NAME H.	
2 0 2	RESIDENCE & CITIZENSHIP	CITY New York	state or foreign country New York	COUNTRY OF CITIZENSHI U.S.A.	IP.
	POST OFFICE ADDRESS	STREET New York	CITY New York	state or country New York	ZIP CODE
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
2 0 3	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHI	P
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or that me	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
2 7 0 4	RESIDENCE & CITIZENSHIP	спу	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHI	P
illy Hamili Hamili Junta	POST OFFICE ADDRESS	STREET	СІТҮ	STATE OR COUNTRY	ZIP CODE
April 1999	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
2 0 5	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHI	P
utha	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
2 0 6	RESIDENCE & CITIZENSHIP	СІТУ	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHI	P
	POST OFFICE ADDRESS	STREET	СІТУ	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
RICHARD KOLESNICK	EDWARD H. SCHUCHMAN	
DATE MY.	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE 2/5/97	DATE	DATE

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PENY3-561431.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	•	
	Application of: Kolesnick and Schuchman Patent of:	
Applic Patent	ration No.: 08/687,707 No.:	Group Art Unit: 1644
☐ Filed: ☐ Issued:	July 26, 1996 :	Examiner: Saunders, D.
AC	ETHODS FOR THE MODULATION OF CID-SPHINGOMYELINASE-RELATED POPTOSIS	Attorney Docket No.: 6923-062-999
VI	ERIFIED STATEMENT (DECLARATION) [37 CFR 1.9(f) and 1.27(d)] -	CLAIMING SMALL ENTITY STATUS Nonprofit Organization
	t Commissioner for Patents ton, D.C. 20231	
Sir:		
identified	Name of organization Mount Sinai School of Address of organization One Gustave L. Leven New York, New York 10029 Type of organization University or other institution of high Tax exempt under Internal Revenue State Nonprofit scientific or educational under Internal Revenue (Citation of statue (Citation of statue Would qualify as tax exempt under Internated States of America in United States of America if located in (Name of state (Citation of statute	f Medicine of New York University Ary Place Her education Service Code (26 USC 501(a) and 501(c)(3)) Hader statute of state of the United States of Hermal Revenue Service Code (26 USC 501(a)) And States of America. Or educational under statute of state of the hathe United States of America In the United States of America
as define 35, Unite OF ACI	ad := 27 CER 1 $Q(e)$ for numbers of paying re	fied above qualifies as a nonprofit organization duced fees under section 41(a) and (b) of Title ntitled METHODS FOR THE MODULATION PTOSIS by inventor(s) Kolesnick and
	☐ the specification filed herewith ☐ application no. 08/687,707 filed	July 26, 1996

patent no.

issued

FULL NAME

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

ADDRESS				
□ INDIVIDUAL	□ SMALL	BUSINESS CONCERN	□ NONPRO	OFIT ORGANIZATION
FULL NAME				
ADDRESS				
□ INDIVIDUAL	□ SMALL	BUŞINESS CONCERN	□ NONPRO	OFIT ORGANIZATION
resulting in loss the earliest of the	of entitleme e issue fee o	nt to small entity status	prior to pay	ification of any change in status ying, or at the time of paying, e date on which status as a small
statements made statements were are punishable by States Code and	on informate made with the fine or important that such with the such with the following that such with the following the followi	tion and belief are belie he knowledge that will prisonment, or both, un illful false statements	ful false stated der Section may jeopard	owledge are true and that all rue; and further that these tements and the like so made 1001 of Title 18 of the United lize the validity of the this verified statement is
Send correspond	lence to:	PENNIE & EDMON 1155 Avenue of the New York, N.Y. 100	Americas	Direct Telephone calls to: PENNIE & EDMONDS LLP (212) 790-9090
Address of person of Address of person of Mount Sinai Son New York, New York	other than over signing the period of Medical	Office of Industrial Lia dicine of New York Ur 29 Laternents are required	from each n	Date 10/31/ot) amed person, concern or
organization hav	ing rights to	the invention averring	g to their sta	itus as small entities.



□ Patent of:

Group Art Unit: 1644

□ Patent No.:

Examiner: Saunders, D.

□ Issued:

For: METHODS FOR THE MODULATION OF

Attorney Docket No.: 6923-062-999

ACID-SPHINGOMYELINASE-RELATED

APOPTOSIS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS [37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization Sloan Kettering Institute for Cancer Research

Address of organization 1275 York Avenue

New York, New York 10021

Type of organization

☑ University or other institution of higher education

□ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))

Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.

Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America
 (Name of state

(Citation of statute_

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled METHODS FOR THE MODULATION OF ACID-SPHINGOMYELINASE-RELATED APOPTOSIS by inventor(s) Kolesnick and Schuchman described in

□ the specification filed herewith

■ application no. 08/687,707 filed July 26, 1996

patent no. issued

(37 CFR 1.27)

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME				
ADDRESS				
□ INDIVIDUAL	□ SMALL B	USINESS CONCERN	□ NONPRO	DFIT ORGANIZATION
FULL NAME				
ADDRESS				
□ INDIVIDUAL	□ SMALL B	USIŅESS CONCERN	□ NONPRO	OFIT ORGANIZATION
resulting in loss of the earliest of the	of entitlemen e issue fee or	t to small entity status	s prior to pay	fication of any change in status ying, or at the time of paying, date on which status as a small
statements made statements were are punishable by States Code, and	on informati made with th y fine or imp that such wi	on and belief are belie e knowledge that will risonment, or both, ur llful false statements	eved to be tr ful false stat ider Section may jeopard	wledge are true and that all ue; and further that these tements and the like so made 1001 of Title 18 of the United ize the validity of the this verified statement is
Send correspond	lence to:	PENNIE & EDMON 1155 Avenue of the New York, N.Y. 100	Americas	Direct Telephone calls to: PENNIE & EDMONDS LLP (212) 790-9090
Name of person Title of person of Address of person 1275 York Ave New York, New	other than own on signing <u>N</u> enue	ner <u>Senior Vice Pres</u> Iemorial Sloan Ketter	ident, Resea ring Cancer (rch Resources Management Center
Signature	Amer	Sour	Date	10/16/00
*NOTE: Separa organization has	te verified staring rights to	tements are required the invention averring	from each no	amed person, concern or tus as small entities.